

Serial Number 09/758,645

Attorney Docket No. 37304-0200

- Sub B2
36. (Amended) A method for accessing information from a recording system located on a vehicle, comprising:
- a) activating a device having an interface for accessing information from a remote vehicle recording system, the device being separate from the vehicle recording system and adapted for mobile use;
 - b) receiving information from the remote vehicle recording system;
 - c) displaying information received from the remote vehicle recording system on the device; and
 - d) transmitting information from the remote vehicle recording system to a secure location separate from the device using a transceiver coupled to the device.
- A5

- A6
44. (Amended) The method of claim 1, said transmitting performed via a transmission link.

- A7
48. (Amended) The method of claim 46, including capturing and storing said information on one or more of a video tape, a hard disk, a CD ROM, and a solid state repository.

REMARKS

This amendment responds to a non-final Office action mailed November 29, 2001. As originally filed, the present application presented claims 1 through 52 for examination. The present response amends claims 1, 2, 26, 28, 34, 36, 44 and 48 and cancels claims 24, 25, 33 and 43. Accordingly, claims 1-23, 26-32, 34-42 and 44-52 are pending in the present application. Applicants respectfully request reconsideration of the pending claims in view of the above amendments and the following remarks.

By action taken here, Applicants in no way intend to surrender any range of equivalents beyond that needed to patentably distinguish the claimed invention as a whole over the prior art. Applicants expressly reserve all such equivalents that may fall in the range between Applicants' literal claim recitations and combinations taught or suggested by the prior art.

Serial Number 09/758,645
Attorney Docket No. 37304-0200

II. Amendment of Independent Claims 1 and 36

In the present response, Applicants amend independent claims 1 and 36 and dependent claims 2, 26, 28, 34, 44 and 48. As discussed below, the amendment of claims 1 and 36 clarifies that the claimed device is able to access information from a vehicle incident recording system that is located at a remote distance from the device. The device is also capable of transmitting the information it receives from the remote vehicle incident recording system to a secure location that is separate from the device. In addition, the device is adapted for mobile use. Thus, claim 1 recites a device having "at least one interface for accessing data from a remote vehicle incident recording system . . . [and] an information datalink coupled to the at least one interface for receiving data from the remote vehicle incident recording system." The device also includes "a transceiver coupled at least indirectly to the information datalink, the transceiver adapted to transmit data from the remote vehicle incident recording system to a secure location separate from the device, the device being adapted for mobile use."

Similarly, the amendment clarifies that the claimed method provides for accessing information from a vehicle incident recording system using a device that is adapted for mobile use and is located at a remote distance from the vehicle. The method also provides for displaying the information it receives from the remote vehicle incident recording system and for transmitting the information to a secure location that is separate from the device. Thus, claim 36 recites, "activating a device having an interface for accessing information from a remote vehicle recording system, the device being separate from the vehicle recording system." The method also includes "receiving information from the remote vehicle recording system[,] . . . displaying information received from the remote vehicle recording system on the device[, and] . . . transmitting information from the remote vehicle recording system to a secure location separate from the device using a transceiver coupled to the device."

Applicants submit that the amendment of claims 1 and 36 are fully supported by the specification. See, for example, Fig. 2 and discussion at page 11, lines 8-22 of the present application. In addition, the present paper amends dependent claims 2, 26, 28, 34, 44 and 48 to improve readability and to account for proper claim dependencies resulting from

(Amendment—page 4 of 9)

Serial Number 09/758,645
Attorney Docket No. 37304-0200

cancellation of claims 24, 25, 33 and 43. Applicants therefore submit that entry of the amendments is proper since they do not add new matter.

III. Drawing Objection

The Office action objected to Fig. 1 of the drawings because the box components lack labels (i.e., legends). Applicants submit that 37 CFR § 1.84(o) indicates that "suitable descriptive legends may be used . . . or may be required by the examiner where necessary for understanding of the drawing." Under the rule, legends are permitted only when necessary for the understanding of the drawings. Applicants respectfully submit that Fig. 1 is understandable and clear. Each of the blocks and features has been properly labeled using reference numbers, which have been clearly identified in the specification. Adding descriptive legends would unnecessarily clutter the block diagrams and would not improve clarity.

IV. Rejection of Claims 1-52 Under 35 U.S.C. §§ 102(b), 103(a)

Claims 1-5, 31, 36-37, 42, 46 and 48-50 were rejected under 35 U.S.C. § 102(b) as being anticipated by Kikinis (U.S. Patent No. 5,815,093), and claims 6-21, 22-30, 32-35, 38-41, 43-45 and 50-52 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kikinis in view of Shamosh et al. (U.S. Patent No. 5,144,661). Applicants submit that Kikinis and Shamosh et al, when viewed alone or in combination, fail to teach or suggest every limitation of independent claims 1 and 36, and therefore the references can neither anticipate nor render obvious the claimed invention. Furthermore, nothing in Kikinis, in Shamosh et al., or in the knowledge generally available to one of ordinary skill in the art suggests modifying the references to arrive at the claimed invention. Applicant therefore respectfully requests withdrawal of the rejection.

As described in section II of this response, the device of claim 1, besides being adapted for mobile use, is able to access information from a vehicle incident recording system that is located at a remote distance from the device. In addition, the claimed device is able to transmit the information it receives to a secure location that is also separate from the device. Neither reference discloses these elements. For example, Kikinis discloses a "vehicle computer log" that includes "a digital camera section 11, a computer section 21, a vehicle

(Amendment—page 5 of 9)

Serial Number 09/758,645
Attorney Docket No. 37304-0200

data section 31, and a data transfer section 61," which are located on the vehicle undergoing surveillance. Kikinis at col. 3, lines 20-30. The data transfer section 61 comprises "transfer terminal 77 and radio trans-receiver 75," which again are located within the vehicle undergoing surveillance. Kikinis at col. 5, lines 57-58. Thus, contrary to the assertion in the Office action, Kikinis does not disclose a "remote information downloading device for wireless access to and downloading of vehicle from a remote, on-board, vehicle incident recording system." Furthermore, the Office action's discussion of the "radio trans-receiver 75" is inapposite since it is part of the "vehicle computer log" that is located on-board the vehicle undergoing surveillance.

Similarly, Shamosh et al. discloses a "security protection system" having "sensor means," "video and audio recording means," "memory converter means," and "transmission means," for sending a signal to a "base unit at a remote location." Shamosh et al. at col. 1, line 56 through col. 2, line 2. Arguably, the "base unit" disclosed in Shamosh et al. may be similar in some respects to the device of claim 1. However, Shamosh et al. teaches that the base unit is stationary—disclosing that the base unit can be located in a "police station or other security station" or in a "control tower" of an airport. Shamosh et al. at col. 6, lines 43-45; col. 7, lines 54-55 (emphasis added). Furthermore, neither Kikinis nor Shamosh et al. disclose a device that includes transceiver, which is adapted to transmit data from the remote vehicle incident recording system to a secure location that is separate from the device.

The device recited in claim 1 of the present application offers advantages over prior art devices. For example, the claimed device can be located in various mobile locations, including emergency vehicles (fire trucks, ambulances), military vehicles (tanks, helicopters), and the like, and can be carried in a knapsack or backpack. See Application at page 11, lines 16-22. In this way, medical technicians, police, etc., may view a vehicle that has been involved in an accident while they are in route to the accident scene. Furthermore, the claimed device can be used to transmit information from the remote vehicle incident recording system to a secure, remote site, where third parties, such as police and insurance adjusters, can analyze the information. See Application at page 13, line 29 through page 14, line 2. In view of these remarks, Applicants submit that claim 1, and all claims that depend on claim 1, are unobvious and therefore patentable over the prior art of record.

(Amendment—page 6 of 9)

Serial Number 09/758,645
Attorney Docket No. 37304-0200

The same arguments made with respect to claim 1 apply with equal force to claim 36. Indeed, claim 36 recites a method for accessing information from a vehicle incident recording system using a device that is adapted for mobile use and is located at a remote distance from the vehicle. The method also provides for displaying the information it receives from the remote vehicle incident recording system and for transmitting the information to a secure location that is separate from the device. Thus, Applicants submit that claim 36, and all claims that depend on claim 36, are unobvious and therefore patentable over the prior art of record.

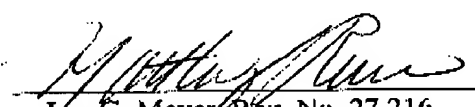
V. Conclusion

In view of the foregoing, Applicant respectfully submits that claims 1-23, 26-32, 34-42 and 44-52, as amended, are patentable over the prior art of record. If the Examiner has any questions, Applicants request that the Examiner telephone the undersigned.

Applicant believes that no fees are due with respect to this paper. However, if any fees are required in connection with the filing of this paper, please charge deposit account number 18-0013.

Respectfully submitted,

Date: February 28, 2002


Lee G. Meyer, Reg. No. 27,216
Matthew J. Russo, Reg. No. 41,282
RADER, FISHMAN & GRAUER PLLC
383 Inverness Drive South, Suite 140
Englewood, CO 80112
(303) 991-1200
Attorneys for Applicant

(Amendment- page 7 of 9)

Serial Number 09/758,645
Attorney Docket No. 37304-0200

MARKED-UP COPY OF AMENDED CLAIMS

1. (Amended) A [remote information downloading] device for wireless access [to and downloading] of vehicle information from a [remote, on-board,] vehicle incident recording system, the [downloading] device comprising:

a) at least one interface [communicating with and] for accessing [and receiving incident] data from [the] a remote vehicle incident recording system;

b) an information datalink coupled to [said] the at least one interface for [transferring] receiving data from the remote vehicle incident recording system [said received incident data from said interface]; and

c) a transceiver coupled at least indirectly to the [said] information datalink, the transceiver adapted to transmit [for accessing, receiving, downloading, and transmitting said vehicle information] data from the remote vehicle incident recording system to a secure location separate from the device, the device being adapted for mobile use.

2. (Amended) The device of claim 1 further including an information storage device [coupled to said vehicle incident recording system for capturing and storing said vehicle information].

26. (Amended) The device of claim [25] 1 wherein said transceiver provides a transmission link.

28. (Amended) The device of claim [25] 1 wherein said transceiver provides a transmission trigger for initiating transmission of information to an information storage device.

34. (Amended) The device of claim [33] 1 wherein [said facility is selected from the group consisting] the secure location is one or more of a hospital, a police station, and a fire station.

Serial Number 09/758,645
Attorney Docket No. 37304-0200

36. (Amended) A method for [remotely] accessing [and downloading stored] information from a recording system located on a vehicle, comprising [the steps of]:

- a) activating a [downloading] device having an interface for accessing [and downloading said stored] information from [said] a remote vehicle recording system, the device being separate from the vehicle recording system and adapted for mobile use;
- b) receiving [and playing said downloaded] information from the remote vehicle recording system; [and]
- c) displaying [said played] information received from the remote vehicle recording system on the device; and
- d) transmitting information from the remote vehicle recording system to a secure location separate from the device using a transceiver coupled to the device.

44. (Amended) The method of claim [43] 1, said transmitting performed via a transmission link.

48. (Amended) The method of claim 46, including capturing and storing said information [to a device selected from the group consisting of] on one or more of a video tape, a hard disk, a CD ROM, and a solid state repository.

CQ003805.DCX: